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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
USDC Atlanta

MAY 09 2008

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

MPM, INC., d/b/a OLYMPIA PIZZA

Defendant.

CIVIL ACTION NO.

1:08-cv-1691-CAP

JURY TRIAL DEMAND

COMPLAINT

This is an action under Title VII of the Civil Rights Act of 1964 ("Title VII"), as amended, and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Denise Johnson ("Johnson"), Lori Harden ("Hardin"), and Jennifer Thrasher ("Thrasher") who were adversely affected by such practices. The plaintiff alleges that while employed with MPM, Inc., doing business as Olympia Pizza, Johnson, Harden, and Thrasher were subjected to sexual harassment by a male employee. Their repeated complaints about the harassment were ignored by management and, as a result, a hostile work environment was created, in violation of Title VII. Moreover, their employment was made so intolerable that they were constructively discharged.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) (“Title VII”), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Northern District of Georgia, Atlanta Division.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the “Commission”), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII and is expressly authorized to bring this action by Section 706(f)(1) and (3) of Title VII, 28 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant (“MPM, Inc., d/b/a Olympia Pizza”) has continuously been a corporation doing business in the State of Georgia and the city of Locust Grove, and has continuously had at least 15 employees.

5. At all relevant times, Defendant has continuously been an employer engaged in an industry affecting commerce under Section 701(b), (g), and (h) of Title VII, 42 U.S.C. § 2000e(b), (g), and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Lori Hardin and Denise Johnson filed charges of discrimination with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least June 13, 2006, Defendant engaged in unlawful employment practices at its Locust Grove location, in violation of Section 703(a) of Title VII, 42 U.S.C. §2000e-2(a), by subjecting the Charging Parties to:

- (a) sexual harassment; and
- (b) constructive discharge.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Lori Hardin, Denise Johnson, and Jennifer Thrasher of equal employment opportunities and, otherwise, adversely affect their status as employees because of their sex.

9. The unlawful employment practices complained of in paragraph 7 above were intentional.

10. The unlawful employment practices complained of in paragraph 7 above were done with malice or with reckless indifference to the federally protected rights of Lori Hardin, Denise Johnson, and Jennifer Thrasher.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, from engaging in sexual harassment against employees, creating intolerable working conditions the effect of which forces employees to resign their employment, and engaging in any other employment practice which discriminates on the basis of sex.

B. Order Defendant MPM, Inc., to institute and carry out policies, practices, and programs which provide equal employment opportunities for all women and eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant to make whole Lori Hardin, Denise Johnson, and Jennifer Thrasher, by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Defendant MPM, Inc., to make whole Lori Hardin, Denise Johnson, and Jennifer Thrasher, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including job search expenses, in amounts to be determined at trial.

E. Order Defendant MPM, Inc., to make whole Lori Hardin, Denise Johnson, and Jennifer Thrasher, by providing compensation for past and future non-pecuniary losses resulting from the unlawful employment practices complained of in paragraph 7 above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

F. Order Defendant MPM, Inc., to pay to Lori Hardin, Denise Johnson, and Jennifer Thrasher punitive damages for its malicious and reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

H. Award the Commission its costs in this action.

JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its Complaint.

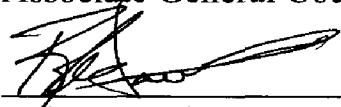
Respectfully submitted,

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5/9/2008
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